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PATENT
JC973 U.S. P 1
09/813225
03/20/01


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joseph A. Orr et al.

Serial No.: Not Yet Assigned

Filed: March 19, 2001

For: REBREATHING METHODS
INCLUDING OSCILLATING,
SUBSTANTIALLY EQUAL REBREATHING
AND NON-REBREATHING PERIODS

Examiner: Unknown

Group Art Unit: Unknown

Attorney Docket No.: 4637US

NOTICE OF EXPRESS MAILING

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents are enclosed pursuant to 37 C.F.R. § 1.98(a).

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Information Disclosure Statement is not to be construed as a representation that a search has been made or an

admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicants herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

DOCUMENTS

U.S. Patent Documents

<u>U.S. Patent No.</u>	<u>Issue Date</u>	<u>Inventor</u>
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Foreign Patent Documents

<u>Document No.</u>	<u>Date</u>	<u>Country</u>
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Other Documents

H. Blomquist et al., *A Non-Invasive Technique for Measurement of Lung Perfusion*, Intensive Care Medicine 1986; 12:172.

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Capek, J.M., et al., *Noninvasive Measurement of Cardiac Output Using Partial CO₂ Rebreathing*, IEEE Trans. Biomed. Eng. (1988) 35(9):653-61.

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Applicants offer to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

This Information Disclosure Statement is filed within three (3) months of the filing date of the above-identified application.

Respectfully submitted,



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Date: March 19, 2001

BGP/ps:dlm

Enclosures: Form PTO-1449

Copy of documents cited

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FEE TRANSMITTAL

for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1,455.00)

Complete if Known

Application Number	Not Yet Assigned
Filing Date	March 20, 2001
First Named Inventor	Joseph A. Orr
Examiner Name	Unknown
Group Art Unit	Unknown
Attorney Docket No.	4637US

U.S. PTO
81325
03/20/01
PC 973 09

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 20-1469

Deposit Account Name TraskBritt

Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

Applicant claims small entity status.
See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	
101	710	201	355 Utility filing fee	355
106	320	206	160 Design filing fee	0
107	490	207	245 Plant filing fee	0
108	710	208	355 Reissue filing fee	0
114	150	214	75 Provisional filing fee	0

SUBTOTAL (1) (\$ 355.00)

2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
120	8		-20**	= 100 X 9	= 900
			- 3**	= 5 X 40	= 200
					0 = 0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	
103	18	203	9 Claims in excess of 20
102	80	202	40 Independent claims in excess of 3
104	270	204	135 Multiple dependent claim, if not paid
109	80	209	40 ** Reissue independent claims over original patent
110	18	210	9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 1,100.00)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	
105	130	205	65 Surcharge - late filing fee or oath	
127	50	227	25 Surcharge - late provisional filing fee or cover sheet	
139	130	139	130 Non-English specification	
147	2,520	147	2,520 For filing a request for ex parte reexamination	
112	920*	112	920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	
115	110	215	55 Extension for reply within first month	
116	390	216	195 Extension for reply within second month	
117	890	217	445 Extension for reply within third month	
118	1,390	218	695 Extension for reply within fourth month	
128	1,890	228	945 Extension for reply within fifth month	
119	310	219	155 Notice of Appeal	
120	310	220	155 Filing a brief in support of an appeal	
121	270	221	135 Request for oral hearing	
138	1,510	138	1,510 Petition to institute a public use proceeding	
140	110	240	55 Petition to revive - unavoidable	
141	1,240	241	620 Petition to revive - unintentional	
142	1,240	242	620 Utility issue fee (or reissue)	
143	440	243	220 Design issue fee	
144	600	244	300 Plant issue fee	
122	130	122	130 Petitions to the Commissioner	
123	50	123	50 Processing fee under 37 CFR 1.17(q)	
126	180	126	180 Submission of Information Disclosure Stmt	
581	40	581	40 Recording each patent assignment per property (times number of properties)	40
146	710	246	355 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355 For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355 Request for Continued Examination (RCE)	
169	900	169	900 Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 40.00)

SUBMITTED BY

Complete (if applicable)

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Signature	<i>Brick G. Power</i>				Date	03/20/2001

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